

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	Case No. 3:05-cv-260-JKS
)	
Plaintiff,)	<u>DECREE OF FORFEITURE</u>
v.)	
)	
ONE MARLIN FIREARMS CO. RIFLE,)	
MODEL 25N, .22 CALIBER, SERIAL)	
NUMBER 08587184,)	
)	
Defendant.)	
_____)	

On November 7, 2005, a Verified Complaint For Forfeiture against the defendant property was filed on behalf of the plaintiff, United States of America (docket 1). The Complaint alleged that the defendant property, described as ONE MARLIN FIREARMS CO. RIFLE, MODEL 25N, .22 CALIBER, SERIAL NUMBER 08587184, constitutes firearms or ammunition involved in or used in violation of 18 U.S.C. § 922(g)(1), and is therefore subject to forfeiture to the United States of America under 18 U.S.C. § 924(d)(1).

It appearing that process was fully issued in this action and returned according to law;

The defendant property is now in the custody of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”);

That on November 9, 2005, Dwayne Roberts was personally served with copies of the Verified Complaint for Forfeiture and Request for Judicial Issuance of *In Rem* Warrant of

Arrest via Certified U.S. Mail, Return Receipt Requested;

That on April 6, 2006, Dwayne Roberts was personally served with the notice of this judicial forfeiture case via Certified U.S. Mail, Return Receipt Requested;

That on April 6, 2006, Andrew John Folger was served with the Notice of this judicial forfeiture action via Certified U.S. Mail, Return Receipt Requested;

That notice of this action was published by ATF in the Fairbanks Daily News-Miner on March 17, 24, and 31, 2006;

That Dwayne Roberts failed to file a claim or answer to the Complaint pursuant to Admiralty Rule C;

That Andrew John Folger failed to file a claim or answer to the Complaint pursuant to Admiralty Rule C;

That the time for filing has expired, and no claims or answers have been filed in this action;

That on November 22, 2006, this Court entered a Default Judgment in favor of the United States and against all those persons and entities claiming an interest in the defendant property in this case for failure to plead, answer, or otherwise defend, as required by law.

Now, therefore, on motion of the plaintiff, United States of America, for a decree of forfeiture, it is hereby

ORDERED, ADJUDGED AND DECREED that the defendant property, ONE MARLIN FIREARMS CO. RIFLE, MODEL 25N, .22 CALIBER, SERIAL NUMBER

08587184, be forfeited to the United States of America, and no right, title, or interest in the property shall exist in any other party. The defendant property shall be disposed of by ATF according to law.

DATED: December 8, 2006

/s/James K. Singleton, Jr.
HON. JAMES K. SINGLETON, JR.
United States District Court